

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH WATSON)	
)	Civil Action No. 12 – 35J
Plaintiff,)	
)	District Judge Kim R. Gibson
v.)	Chief Magistrate Judge Lisa Pupo Lenihan
)	
GERALD L. ROZUM, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This action was initiated by Joseph Watson (“Plaintiff”) on February 15, 2012, and referred to United States Magistrate Judge Lisa Pupo Lenihan for all pretrial proceedings in accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court for Magistrate Judges. Defendants filed a Motion to Dismiss Plaintiff’s Complaint on June 4, 2012. (ECF No. 21.) In a Report and Recommendation dated October 29, 2012, Magistrate Judge Lenihan recommended that the Motion be granted. (ECF No. 24.) Plaintiff was served with the Report and Recommendation at his listed address and advised that he had until November 15, 2012, to file written objections. No objections were filed and the time to do so has expired.

As such, after *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered.

AND NOW, this 29th day of November, 2012,


IT IS HEREBY ORDERED that the Defendants’ Motion to Dismiss (ECF No. 21) is **GRANTED**. Plaintiff’s Complaint is dismissed with prejudice in its entirety as to Defendants

Rozum, Gehlmann, Glass, and Hainsworth. Plaintiff's Due Process, Fourth Amendment, Takings Clause, and Violation of Prison Policy claims are dismissed with prejudice as to the remaining Defendants. Plaintiff's retaliation claims against Defendants Dupont, Simosko, Snyder, and Coutts are the sole remaining claims left for disposition.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Lenihan dated October 29, 2012 (ECF No. 24) is adopted as the opinion of this Court.

AND IT IS FURTHER ORDERED that this case is remanded back to Magistrate Judge Lenihan for all further pretrial proceedings.

By the Court:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

Kim R. Gibson
United States District Judge

cc: **JOSEPH WATSON**
EF-9383
SCI Somerset
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Somerset, PA 15510
Via U.S. Postal Mail

Counsel of Record
Via ECF Electronic Mail